

PLANNING COMMISSION MINUTES

October 4, 2011

7:00 p.m.

Present: Vice Chairman Dave Badham, Sean Monson, Michael Allen, Von Hill, City Council Beth Holbrook, City Engineer Paul Rowland, Planning Director Aric Jensen and Recording Secretary Connie Feil.

Absent: Chairman Tom Smith, City Attorney Rusty Mahan and Barbara Holt.

Vice Chairman Dave Badham welcomed all those present.

Von Hill made a motion to approve the minutes for October 4, 2011 as written. Beth Holbrook seconded the motion and voting was unanimous in favor.

1. Consider a Conditional Use Permit to allow construction of a irrigation reservoir for South Davis Water located at 4001 Bountiful Blvd, Jake Ferguson, applicant.

Jake Ferguson and Kevin Campbell, representing the applicant, were present. Aric Jensen explained that South Davis Water District is requesting a conditional use approval to construct an irrigation water reservoir at approximately 4001 South Davis Blvd. The proposed site is located within the Residential Foothill (R-F) Zone, which allows public facilities as a conditional use.

The proposal is to construct an open-air, concrete irrigation reservoir that would serve properties in Bountiful and North Salt Lake that currently do not have access to pressurized irrigation water. The South Davis Water District is a Utah Special Service District and is authorized by State Law to provide such services.

A conditional use permit shall be approved unless it can be shown that it is not possible to impose conditions that would mitigate any reasonably anticipated detrimental effects. The following is an excerpt from the Bountiful City Land Use Ordinance that sets forth the criteria for analyzing a conditional use.

14-2-506 DETERMINATION

A. A conditional use permit shall be approved if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with the applicable standards.

B. If the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal, or if the imposition of reasonable conditions to achieve compliance with applicable standards is not possible, the conditional use permit request may be denied.

C. Standards applicable to conditional uses include all the requirements of this Title, and consideration of the following:

- 1. The location of the proposed use in relationship to other existing uses in the general vicinity.*
- 2. The effects of the proposed use and/or accompanying improvements on existing developments in the general vicinity;*
- 3. The appropriate buffering of uses and buildings, proper parking and traffic circulation, and the use of building materials and landscaping which are in harmony with the area.*
- 4. The applicant, at his or her cost, shall provide any report and/or study relating to utilities, traffic impact, school impact, soil and water impact, existing conditions, line-of-sight and building massing, and any other information requested by the City in order to render a proper decision.*

The potential detrimental effects can be categorized as aesthetics and/or site security. First, the exterior of the west facing portion of the reservoir will be exposed concrete, ranging from about 3' to 18' in height. This area will be readily visible to persons on Bountiful Blvd and to residences below. It is extremely important that this area be landscaped and/or screened to the fullest extent possible.

Second and lastly, this property will inherently be an attractive nuisance. It will require substantial fencing and monitoring. Staff recommended a minimum 6' high fence topped with three strands of barbed wire around the entire perimeter of the reservoir.

Staff recommends approval with the following conditions:

1. The exposed exterior section of the reservoir shall be fully landscaped and screened from view.
2. A minimum 6' high fence topped with three strands of barbed wire shall be constructed around the entire perimeter of the reservoir.

Jake Ferguson explained that there are approximately 200 residents that do not have any irrigation water. These residents have been paying property taxes for years without the water service. This reservoir will service the Eaglewood Golf course as well as a section of Bountiful and North Salt Lake.

Dave Badham explained the procedure for conducting a public hearing. The public hearing was opened for all those with comments and concerns.

Natalie Hayes, residing at 3946 Huntington Circle, had concerns with possible leakage from the reservoir onto her property. The reservoir abuts her back yard and if a leak occurred it could flood her home. Ms. Hayes also had concerns about how the mosquitoes would be controlled, having a concrete wall in her back yard, and the type of landscaping and fencing.

Victor Orvis, residing at 305 Summerwood Dr., had concerns about the deer that migrate through the property on a regular basis.

Scott Rose, residing at 76 E. 4050 S., had concerns on where the overflow will drain and what the connection fees will be to receive this water. Mr. Rose would like as much of the reservoir buried as possible.

Aubrey Bryant, residing at 3777 Cardiff Way, would like to know why this location was chosen rather than a location where there are no homes.

Rebecca Montague, residing at 289 Summerwood Dr., had concerns with this reservoir meeting the covenants of the subdivision.

Mr. Ferguson and Mr. Campbell explained that the reservoir will be built below the surrounding properties. It will be designed and engineered to meet earthquake requirements and any overflow will drain down Hooper Draw. The walls will be made of concrete which last for at least 50 years. The reservoir will be drained in October and any repairs will be made at this time. As far as mosquitoes, the water is always moving and drained in the Fall. The connection fees will be \$850.00 per property owner.

The public hearing was closed without further comments.

There was a lengthy discussion regarding the aesthetics and safety of the project. The fencing and landscaping were deemed critical. The Commission Members wanted the wall to be finished and skimmed with a topping compound and topped with a 6` galvanized fence. The Commission also asked that the landscaping surround the entire property.

Beth Holbrook made a motion to grant a Conditional Use Permit for the South Davis Water Irrigation Reservoir with the following conditions:

1. The exposed exterior section of the reservoir shall be fully landscaped and screened for the entire perimeter.
2. A minimum 6` commercial grade galvanized fence topped with three strands of barbed wire shall be constructed around the entire perimeter of the reservoir.
3. The entire exposed wall be finished and skimmed with a decorative compound.

Von Hill seconded the motion and voting was unanimous in favor.

3. Planning Director's report and miscellaneous business.

Aric Jensen mentioned that on October 18th this item will be in for a lot line adjustment and on November 1st for preliminary and final site plan approval.

Meeting adjourned at 8:06 p.m.